



Order Filed on October 12, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

Robertson, Anschutz, Schneid, Crane & Partners, PLLC
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-8886
Attorneys for Secured Creditor

Kimberly A. Wilson (031441997)

In Re:

**Luberky A. Guerrero de Mercado aka Luberky
Mercado,**

Debtor.

Case No.: 19-27312-JNP

Chapter: 13

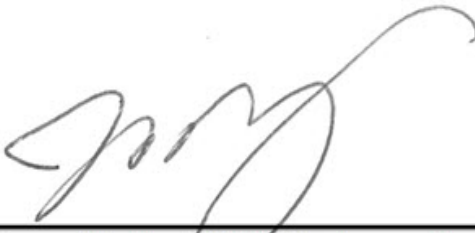
Hearing Date: September 27, 2022

Judge: Jerrold N. Poslusny Jr.

**AGREED ORDER RESOLVING SECURED CREDITOR'S CERTIFICATION OF
DEFAULT**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: October 12, 2022



Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Page 2

Secured Creditor: U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS
INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 ACQUISITION
TRUST C/O U.S. BANK TRUST NATIONAL ASSOCIATION

Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Debtors' Counsel: Eric Clayman

Property Involved ("Collateral"): 4530 Gail Lane, Newfield, NJ 08344

Relief sought: ■ Creditor's Certification of Default

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to
the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 07 months from 03/01/2022 through 09/01/2022.
- The Debtor is overdue for 07 payments from 03/01/2022 through 09/01/2022 at
\$811.23 per month.

Funds Held In Suspense \$63.95.

Total Arrearages Due \$5,614.66.

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on 10/01/2022, regular monthly mortgage payments shall
continue to be made in the amount of \$811.23.
- The amount of \$5,614.66 shall be capitalized in the Debtor's Chapter 13 plan and paid
to Secured Creditor by the Chapter 13 Trustee in addition to the amount set forth on
Secured Creditor's timely filed Proof of Claim. The Debtor's monthly payment to the
Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the
plan in accordance with this order.

3. Payments to the Secured Creditor shall be made to the following address(es):

- Regular monthly payment: Selene Finance, LP
Attn: BK Dept
3501 Olympus Boulevard
Dallas Texas 75019

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment or Trustee payments should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court may enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

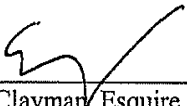
5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$200.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order.



Eric Clayman, Esquire.
Attorney for Debtor(s)
Date:

/s/Kimberly Wilson

Kimberly A. Wilson, Esquire.
Attorney for Secured Creditor
Date: 10-04-2022

In re:
Luberky A. Guerrero de Mercado
Debtor

Case No. 19-27312-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Oct 12, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 14, 2022:

Recip ID	Recipient Name and Address
db	+ Luberky A. Guerrero de Mercado, 4530 Gail Lane, Newfield, NJ 08344-9111

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 14, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 12, 2022 at the address(es) listed below:

Name	Email Address
Aleisha Candace Jennings	on behalf of Creditor U.S. Bank National Association not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT ajennings@raslg.com
Brian E Caine	on behalf of Creditor U.S. Bank National Association not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT bcaine@parkermccay.com, BKcourtnotices@parkermccay.com
Denise E. Carlon	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Eric Clayman	on behalf of Debtor Luberky A. Guerrero de Mercado mail@jenkinsclayman.com JenkinsClayman@jubileebk.net

District/off: 0312-1

User: admin

Page 2 of 2

Date Rcvd: Oct 12, 2022

Form ID: pdf903

Total Noticed: 1

Harold N. Kaplan	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper hkaplan@rasnj.com kimwilson@raslg.com
Harold N. Kaplan	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust c/o U.S. Bank Trust National Association hkaplan@rasnj.com, kimwilson@raslg.com
Harold N. Kaplan	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper hkaplan@rasnj.com kimwilson@raslg.com
Harold N. Kaplan	on behalf of Creditor U.S. Bank Trust National Association hkaplan@rasnj.com kimwilson@raslg.com
Isabel C. Balboa	on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com
Jane L. McDonald	on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com
Kimberly A. Wilson	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust c/o U.S. Bank Trust National Association k_wilsonlaw@comcast.net, courtdocs_kwlaw@comcast.net;kwlawoffices@gmail.com
Melissa N. Licker	on behalf of Creditor JPMC Specialty Mortgage LLC mlicker@hillwallack.com HWBKnewyork@ecf.courtdrive.com
Phillip Andrew Raymond	on behalf of Creditor JPMC Specialty Mortgage LLC phillip.raymond@mccalla.com mccallaecf@ecf.courtdrive.com
Phillip Andrew Raymond	on behalf of Creditor JPMorgan Chase Bank National Association phillip.raymond@mccalla.com, mccallaecf@ecf.courtdrive.com
Raymond Shockley, Jr	on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com
Robert P. Saltzman	on behalf of Creditor Ajax Mortgage Loan Trust 2021-G Mortgage-Backed Securities, Series 2021-G, by U.S. Bank National Association, as Indenture Trustee c/o Gregory Funding LLC dnj@pbslaw.org
Sindi Mncina	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper smncina@raslg.com
Sindi Mncina	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper smncina@raslg.com
Stephanie F. Ritigstein	on behalf of Debtor Luberky A. Guerrero de Mercado mail@jenkinsclayman.com kevin@jenkinsclayman.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 22